



1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: 10/075,105
Filed: February 13, 2002
Applicant(s): Li et al.
Title: Bi-Directional Dual Promoter Complex
with Enhanced Promoter Activity for
Transgene Expression in Eukaryotes
Art Unit: 1645
Examiner: Not Assigned

Confirmation No. 6947

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

JAN 25 2005

Date

James P. Krueger

Registration No. 35,234

Attorney for Applicant(s)

Attorney Docket: 72978

Customer No.: 22242

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir or Madam:

Upon review of private PAIR (printout enclosed), Applicants note that the Patent Office never entered the March 1, 2004 filing of a Petition to Withdraw Holding of Abandonment. Therefore, enclosed is a copy of the original March 1, 2004 filing (Petition to Withdraw Holding of Abandonment and a copy of materials filed May 12, 2003). Also enclosed is a copy of the return receipt postcard stamped by the Patent Office indicating receipt of the aforementioned filing. Applicants respectfully request that the Patent Office consider the Petition to Withdraw Holding of Abandonment.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

JAN 25 2005

Date

James P. Krueger

Registration No. 35,234

FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
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United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 1-25-2005::9:41:12 E.T.

Search results for application number: 10/075,105			
Application Number:	10/075,105	Customer Number:	22242
Filing or 371(c) Date:	02-13-2002	Status:	Abandoned -- Incomplete Application (Pre-examination)
Application Type:	Utility	Status Date:	02-09-2004
Examiner Name:	-	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	1645	Location Date:	04-07-2004
Confirmation Number:	6947	Earliest Publication No:	-
Attorney Docket Number:	72978	Earliest Publication Date:	-
Class/ Sub-Class:	-/-	Patent Number:	-
First Named Inventor:	Zhijian Li, Altamonte Springs, FL (US)	Issue Date of Patent:	-
Title Of Invention:	Bi-directional dual promoter complex with enhanced promoter activity for transgene expression in eukaryotes		

Search Options:

<input type="checkbox"/> Assignments
<input type="checkbox"/> Continuity Data
<input type="checkbox"/> Image File Wrapper

File History	
Date	Contents Description
06-11-2003	Abandonment -- During Preexam Processing
06-09-2003	CRF Is Good Technically / Entered into Database
02-10-2003	SEQUENCE ERRORS
12-12-2002	Additional Application Filing Fees
12-12-2002	A set of symbols and procedures, provided to the PTO on a set of computer listings, that describe in
12-12-2002	CRF Disk Has Been Received by Preexam / Group / PCT
02-03-2003	CRF Is Flawed Technically / Not Entered into Database
11-18-2002	SEQUENCE ERRORS
10-21-2002	Payment of additional filing fee/Preexam
10-21-2002	A set of symbols and procedures, provided to the PTO on a set of computer listings, that describe in
10-21-2002	CRF Disk Has Been Received by Preexam / Group / PCT

11-08-2002	CRF Does Not Match Application Specification -- Applicant Must Correct
09-19-2002	SEQUENCE ERRORS
08-22-2002	CRF Disk Has Been Received by Preexam / Group / PCT
08-22-2002	A set of symbols and procedures, provided to the PTO on a set of computer listings, that describe in
08-22-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
08-22-2002	Applicant has submitted new drawings to correct Corrected Papers problems
09-12-2002	CRF Is Flawed Technically / Not Entered into Database
04-18-2002	Notice Mailed--Application Incomplete--Filing Date Assigned
02-26-2002	IFW Scan & PACR Auto Security Review
02-13-2002	Initial Exam Team nn



PATENT
ATTORNEY DOCKET
NO. 72978

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

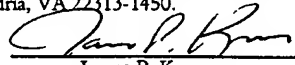
Applicants: Li et al.
Application No.: 10/075,105
Filed: February 13, 2002
Title: Bi-Directional Dual Promoter Complex with
Enhanced Promoter Activity for Transgene Expression
in Eukaryotes
Group Art Unit: 1645
Examiner: Not Assigned

Confirmation No. 6947

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3/1/04
Date


James P. Krueger
Registration No. 35,234
Attorney for Applicant(s)

DOCKETED

MAR 08 2004

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

BY: D. G.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:


Applicant respectfully petitions the Commissioner under 37 C.F.R. §1.181(a) to withdraw the Notice of Abandonment dated February 9, 2004 issued in the above-identified application.

Applicants received a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequences dated February 10, 2003. In response to the Notice, Applicant timely filed a Response and a Petition for a one-month extension of time on May 12, 2003. A copy of all materials as filed on May 12, 2003 is attached.

Applicant respectfully submits that a response to the office action was timely filed and that the Notice of Abandonment should be withdrawn. Applicant further submits that no petition fee is due, as the Notice of Abandonment was issued in error.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,
Fitch, Even, Tabin & Flannery


James P. Krueger
Registration No. 35,234

Date: March 1, 2004

FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle St., Suite 1600
Chicago, Illinois 60603
(312) 577-7000
336292



PATENT

Attorney Docket No. 72978

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LI et al.
Appln No.: 10/075,105
Filed: February 13, 2002
For: A BI-DIRECTIONAL DUAL
PROMOTER COMPLEX WITH
ENHANCED PROMOTER
ACTIVITY FOR TRANSGENE
EXPRESSION IN EUKARYOTES
Group Art
Unit: 1645
Examiner: Not Yet Known

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence. P.O. Box 2327, Arlington, VA 22202, on this date.

05/12/03

Date

James P. Krueger

Registration No. 35,234

Attorney for Applicant(s)

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

U.S. Patent and Trademark Office
Box Sequence
P.O. Box 2327
Arlington, VA 22202

DOCKETED

MAY 12 2003

BY:

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated February 10, 2003, enclosed are:

- ☒ A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
- ☒ A Statement Concerning Sequence Listing
- ☒ Computer readable Sequence Listing
- ☒ Petition for Extension of Time
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

May 12, 2003

Date

James P. Krueger

Registration No. 35,234

FITCH, EVEN, TABIN & FLANNERY
Suite 1600
120 South LaSalle Street
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
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311920



Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/075,105	02/13/2002	Zhijian T. Li	72978

22242
FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

CONFIRMATION NO. 6947

FORMALITIES LETTER



OC000000009498917

Date Mailed: 02/10/2003

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

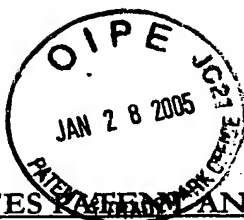
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT APPLICATION
ATTORNEY DOCKET
NO. 72978

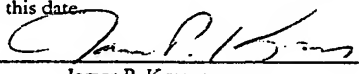
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LI, et al.
Appl. No.: 10/075,105
Filed: February 13, 2002
Title: A BI-DIRECTIONAL DUAL PROMOTER
COMPLEX WITH ENHANCED
PROMOTER ACTIVITY FOR
TRANSGENE EXPRESSION IN
EUKARYOTES
Group
Art Unit: 1645
Examiner: Not Yet Known

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with
the United States Postal Service as first class mail in an
envelope addressed to: U.S. Patent and Trademark
Office, Box Sequence. P.O. Box 2327, Arlington,
VA 22202, on this date

05/12/03
Date


James P. Krueger
Registration No. 35,234
Attorney for Applicant(s)

U.S. Patent and Trademark Office
Box Sequence
P.O. Box 2327
Arlington, VA 22202

STATEMENT CONCERNING SEQUENCE LISTING

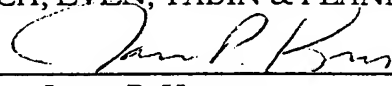
I, JAMES P. KRUEGER, declare that I personally prepared the paper and computer-readable
copies of the Sequence Listing set forth in the above-identified case. The listed and computer-
readable nucleotide and amino acid sequences are the same as set forth in the Specification of the
above-referenced case.

The Commissioner is hereby authorized to charge any additional fees which may be required
in this application to Deposit Account No. 06-1135.

Respectfully submitted,

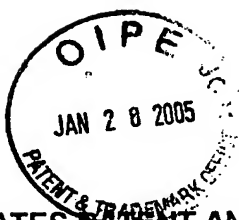
FITCH, EVEN, TABIN & FLANNERY

By


James P. Krueger
Registration No. 35,234

Dated: May 12, 2003

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Chicago, Illinois 60603
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Facsimile: (312) 577-7007



PA VT

Attorney Docket No. 72978

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Li et al.

Appln No.: 10/075,105

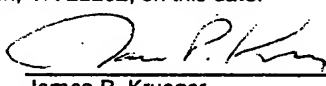
Filed: February 13, 2002

For: A BI-DIRECTIONAL DUAL
PROMOTER COMPLEX WITH
ENHANCED PROMOTER
ACTIVING FORTRANSGENE
EXPRESSIONIN EUKARYOTESGroup Art
Unit: 1645

Examiner: Not Yet Known

CERTIFICATE OF MAILING

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05/12/03
Date
James P. Krueger
Registration No. 35,234
Attorney for Applicant(s)**PETITION FOR EXTENSION OF TIME**

Applicant(s) hereby petition(s) under 37 CFR §1.136(a) for an extension of time for reply in the above-identified application for the period required to make the accompanying reply timely, or, if there be no accompanying reply, for the period for which the fee is indicated or the period necessary to prevent abandonment of the above-identified application if longer than the period for which the fee is indicated.

Extension fee for reply within first month:

- ☐ By a small entity (§1.9(f)) \$ 55.00
☒ By other than a small entity \$ 110.00

Extension fee for reply within second month:

- ☐ By a small entity (§1.9(f)) \$ 205.00
☐ By other than a small entity \$ 410.00

Extension fee for reply within third month:

- ☐ By a small entity (§1.9(f)) \$ 465.00
☐ By other than a small entity \$ 930.00

Extension fee for reply within fourth month:

- ☐ By a small entity (§1.9(f)) \$ 725.00
☐ By other than a small entity \$1,450.00

Extension fee for reply within fifth month:

- ☐ By a small entity (§1.9(f)) \$ 985.00
☐ By other than a small entity \$1,970.00

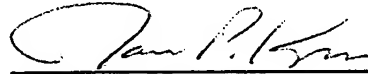
☐ A check in the amount of \$_____ to cover the extension fee is enclosed.

☒ Charge \$110.00 to Deposit Account No. 06-1135.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

May 12, 2003

Date



James P. Krueger

Registration No. 35,234

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311925

Atty. Docket No. 72978/7270

Inventor: Li et al.

Appl. No. 10/075,105

Filed: 02/13/02

Mailed: March 1, 2004

1. Petition to Withdraw Holding of Abandonment
2. Copy of materials filed 05/12/03
3. Return Receipt Postcard



Commissioner for Patents

Sir:

Please acknowledge receipt of the above-identified documents by applying a Commissioner of Patents receipt stamp hereto and mailing this card.

Respectfully,

FITCH, EVEN, TABIN & FLANNERY

JPK/md